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Selections from the Revised Statutes
of N.Y. - 1830

US 5276.37.5

Harvard College Library



FROM THE

BRIGHT LEGACY

One half the income from this Legacy, which was received in 1880 under the will of

JONATHAN BROWN BRIGHT

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who died at Watertown, Massachusetts, in 1686. In the absence of such descendants, other persons are eligible to the scholarships. The will requires that this announcement shall be made in every book added to the Library under its provisions.





Anti-Slavery

SELECTIONS

FROM THE

REVISED STATUTES

OF THE

STATE OF NEW YORK:

Containing

ALL THE LAWS OF THE STATE RELATIVE

TO SLAVES,

AND THE LAW RELATIVE TO THE OFFENCE OF

KIDNAPPING;

WHICH SEVERAL LAWS COMMENCED AND TOOK EFFECT

JANUARY 1, 1830.

TOGETHER WITH

**EXTRACTS FROM THE LAWS OF THE UNITED
STATES, RESPECTING SLAVES.**

Published on behalf of the New York Manumission Society, by direction of the
Standing Committee.

=====

NEW YORK:

VANDERPOOL & COLE, PRINTERS.

1830.

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SELECTIONS
FROM
REVISED STATUTES.

PART I.—CHAP. XX.—TITLE VII.

(Vol. I, Page 656.)

**OF THE IMPORTATION INTO THIS STATE OF PERSONS
HELD IN SLAVERY, OF THEIR EXPORTATION, OF
THEIR SERVICES, AND PROHIBITING THEIR SALE.**

- SEC. 1.**—Persons held as slaves not to be brought into this state.
2.—Last section not to discharge fugitives from other states.
3.—Emigrants from other states may bring servants with them.
4.—Duration of service of persons so brought, since a certain time.
5.—Term of service of those so brought after this title becomes a law.
6.—Travellers not remaining more than nine months, may bring and carry out servants.
7.—Persons residing part of a year in this state, may do the same.
8.—Penalty for selling any person as a slave under any circumstances.
9.—Persons so sold discharged from all obligations of service.
10.—Persons imported since certain time, not to be transferred for any time.
11.—Contracts for service by slaves since certain time, void.
12.—Penalty for sending out of the state slaves or servants.
13.—Last section not to apply to slaves or servants pardoned by governor.

Sec. 14.—Inhabitants may take servants on a journey. Duty on their return.

15.—Persons of colour escaping into this state in a vessel, how returned.

16.—Every person born in this state, or now or hereafter brought into it, free &c.

a) § 1. No person held as a slave shall be imported, introduced, or brought into this state, on any pretence whatever, except in the cases hereinafter specified. Every such person shall be free. Every person held as a slave, who hath been introduced or brought in this state contrary to the laws in force at the time, shall be free.

§ 2. The preceding section shall not be deemed to discharge from service any person held in slavery, in any state of the United States, under the laws thereof, who shall escape into this state.

§ 3. Any inhabitant of any other state, emigrating into this state, with intent to reside permanently therein, may bring with him any person lawfully held in slavery, and belonging to such inhabitant under the laws of the state from which he shall remove, who was born since the fourth day of July one thousand seven hundred and ninety-nine, and before the fourth day of July one thousand eight hundred and twenty-seven, upon the condition that such emigrant shall file with the clerk of the city or town in which he shall come to reside, within six months after his removal into this state, his own affidavit in writing, containing the name and addition of such emigrant, the county and state from which he removed, and the time of his arrival in this state; together with the name, age, and sex, of the person so held in slavery. The said affidavit shall be recorded by the clerk with whom it shall be filed, in a book to be provided for the purpose, which record and a certified copy thereof, shall be good evidence of the facts therein contained.

§ 4. Every such person held in slavery aforesaid, and born after the fourth day of July one thousand seven hundred and ninety-nine, who hath been brought into

this state according to the provisions of the preceding section, since the thirty-first day of March one thousand eight hundred and seventeen, shall be free; but shall remain the servant of him to whom such person belonged, and of his executors and administrators, in the same manner as if such person had been bound as an apprentice according to law, and shall continue in such service, if a male until the age of twenty-eight years, and if a female until the age of twenty-five years.

§ 5. The term of service of such persons who shall so be brought into this state, after this title becomes a law, shall be only until they attain the age of twenty-one years respectively.

§ 6. Any person, not being an inhabitant of this state, who shall be travelling to or from, or passing through this state, may bring with him any person lawfully held by him in slavery, and may take such person with him from this state, but the person so held in slavery, shall not reside, or continue in this state more than nine months, and if such residence be continued beyond that time, such person shall be free.

§ 7. Any person who, or whose family, shall reside part of the year in this state, and part of the year in any other state, may remove, and bring with him, or them, from time to time, any person lawfully held by him in slavery, into this state, and may carry such person with him, or them, out of this state.

§ 8. No person shall, under any colour, or pretext whatever, sell any other person as a slave; and whoever shall offend against this provision, shall be deemed guilty of a misdemeanor, and, on conviction, shall be subject to a fine not exceeding two thousand dollars, or to imprisonment in the county jail not exceeding three years, or to imprisonment in a state prison, not exceeding fourteen years.

§ 9. If the person so sold as a slave, be at the time held in slavery, or in any manner bound to service, to the individual selling him, or with whose consent or knowledge he shall be sold, he shall, thereupon, by the

fact of such sale, become emancipated and discharged from all obligations of service.

§ 10. No person who hath been imported, or brought into this state as a slave, since the eighth day of April, in the year one thousand eight hundred and one, shall be transferred for any term of time ; and every person transferred, shall be free from all obligations of service to the individual transferring him, or with whose knowledge he shall be transferred.

§ 11. Every indenture, bond, or contract, for personal service, made since the thirtieth day of March, one thousand eight hundred and ten, or which shall hereafter be made, or entered into, by any person, who has been held or possessed as a slave without this state, shall be utterly void ; and all such contracts, made by any person who has been held as a slave within this state, shall also be void.

§ 12. No person shall send, export, or carry out of this state, any person who hath been held as a slave, or as a servant, for a term of years, in consequence of his having been born of a person held in slavery, except as herein provided ; and, whoever shall offend against this provision, or shall attempt to send, export, or carry out of this state, any such slave, or such servant, or be aiding and consenting to such exportation, or attempt, except as aforesaid, shall be deemed guilty of a misdemeanour ; and every person so exported, or attempted to be exported, shall be free, and discharged from all obligations of service to the individual so exporting him, or with whose knowledge, or privity, he shall be so exported.

§ 13. The provisions in the preceding section, shall not be applicable to any slave, or servant, who shall be pardoned by the executive, on condition of leaving this state.

§ 14. Any inhabitant of this state, going a journey to any other part of the United States, may carry with him any person by him lawfully held to service as aforesaid. Such inhabitant, on his own return to this state, shall

bring back with him every person so carried away by him ; and, in default thereof, he shall be deemed guilty of a misdemeanour, unless it shall appear that within one month after such return, he filed, with the clerk of the city, or town, in which he resides, a certificate, signed by a judge of the county courts of the county, or by the mayor, or recorder, of the city, stating, that it hath satisfactorily appeared to such officer, by the oath of such inhabitant, or otherwise, that the person held to service, and not brought back, as aforesaid, could not be brought back as herein required, by reason of some unavoidable accident.

§ 15. Whenever any person of colour, owing service, or labour, in any other state of the United States, shall secrete himself on board of a vessel, lying in any port or harbour of such state, and shall be brought into this state in such vessel, the captain, or commander thereof, or his agent, may seize such person of colour, and take him before the mayor, or recorder, of the city of New York.

The officer, before whom such person shall be brought, shall inquire into the circumstances, and if it appear, upon proper testimony, that such person of colour owes service, or labour, in any other state, and that he did secrete himself on board of such vessel, without the knowledge or consent of the captain, or commander thereof, and that, by so doing, he subjected such captain to any penalty, such officer shall furnish a certificate thereof to such captain or commander, which shall be a sufficient warrant to him, to carry or send such person of colour to the port or place from which he was so brought, as aforesaid.

§ 16. Every person born within this state, whether white, or coloured, is FREE ; every person who shall hereafter be born within this state, shall be FREE ; and every person brought into this state, as a slave, except as authorized by this TITLE, shall be FREE. a

**PART II.—CHAPTER VIII.—TITLE IV.—
ARTICLE II.**

(Vol. 2, p. 156.)

OF PERSONS HELD IN SERVICE.

Sec. 15.—Certain persons, born of slaves, to be servants; how long.

16.—If born within certain periods, to be servants only until 21.

17.—Master to instruct such servants; effect of neglect.

18.—Certain affidavit, to be filed to entitle to service.

19.—When servant released, to be bound out by overseers of the poor.

20.—Slaves of certain emigrants, to be servants; how long.

21.—Affidavit to be filed, to entitle to such service.

22.—Such servants to be instructed.

23.—Upon such servants being released, how bound out.

24.—Penalty for trading, &c., with certain servants.

25.—Penalty for employing, concealing, &c., such servants.

§ 15. Every child born in this state, previous to the thirty-first day of March, one thousand eight hundred and seventeen, of a person then held in slavery therein, shall remain the servant of the owner of the mother of such child, and of the personal representatives and assignees of such owner, in the same manner as if such child had been bound to service by the overseers of the poor, of any city or town, pursuant to law, and shall continue in such service, if a male, until the age of twenty-eight years; and, if a female, until the age of twenty-five years.

§ 16. Every such child, born after the date in the last section specified, and before the fourth day of July, one thousand eight hundred and twenty-seven, shall remain a servant, as aforesaid, until such child shall arrive at the age of twenty-one years, and no longer.

§ 17. Every person entitled to the services of a child, pursuant to either of the two last preceding sections, shall cause such child to be taught to read and write, or shall furnish at least two years' schooling to such child; and, if this provision be neglected, the child is entitled, on arriving at the age of eighteen years, to be released from all obligations of service to such person.

§ 18. Every such child is also entitled to be released from all obligations of service, on arriving at the age of eighteen years, unless, within one year after the birth of such child, the person then claiming such services, shall have filed with the clerk of the town, or city, whereof he is an inhabitant, an affidavit in writing, containing the name and addition of such person, and the name, age, and sex of the child so born.

§ 19. Whenever any such child shall be released from service, pursuant to either of the two last sections, the overseers of the poor of the city or town where such child resides, shall forthwith bind out such child to service, until the age of twenty-one years, in the same manner, and with the like effect, as in the case of children chargeable to such town.

§ 20. Every person born since the fourth day of July, one thousand seven hundred and ninety-nine, and brought into this state as a slave, prior to the thirty-first day of March, one thousand eight hundred and seventeen, by a person coming to reside permanently therein, is free; but shall remain the servant of the emigrant entitled to the services of such person, and of his personal representatives; if a male, until the age of twenty-eight years, and, if a female, until the age of twenty-five years, in the same manner as if such person had been bound to service by the overseers of the poor of a town in the cases authorized by law.

§ 21. Every such person is entitled to be released from all obligations of service, on arriving at the age of eighteen years, unless the emigrant claiming such services within six months after arriving within this state, shall have filed with the clerk of the city or town in which he

then resided, his affidavit, containing his name and addition, and the name, age, and sex, of the person whose services are claimed.

§ 22. Every such person is also entitled to be released from all obligations of service, on arriving at the age of twenty-one years, unless such emigrant, or his personal representatives, shall have used all reasonable means to teach such person to read, and shall, also, have furnished him with at least one year's schooling.

§ 23. On any such person being released from service, under either of the two last sections, the overseers of the poor, of the city or town, shall bind him out to service, until the age of twenty-one years, in the manner, and with the effect herein before provided.

§ 24. No person shall trade or traffic either in buying or selling with any servant held to service, in consequence of being born of a mother held in slavery, without the consent of the master of such servant. Every contract made in violation of this provision, shall be void; and, the person offending, shall forfeit three times the value of the articles bought or sold, and the sum of ten dollars in addition, to be sued for and recovered by the master of such servant.

§ 25. No person shall harbour, employ, conceal, or entertain any such servant, specified in the preceding section, knowing him to be such servant, without the consent of his master. Whoever shall offend against this provision, shall forfeit ten dollars for every twenty-four hours, and in that proportion for a greater or less time, during which such servant shall have been harboured, employed, concealed, or entertained, but not to exceed the value of the remaining term of service of such servant, to which the master shall be entitled. This penalty may be sued for and recovered by the master of such servant.

PART III.—CHAPTER IX.—TITLE I.—
ARTICLE I.

(Vol. 2, p. 559.)

OF THE WRIT OF HABEAS CORPUS, TO BRING UP A
PERSON TO TESTIFY, OR, TO ANSWER, IN CERTAIN
CASES.

- SEC. 6.—When writ to issue to take fugitives from service.
 7.—Proof necessary to entitle to writ.
 8.—Sheriff, how to execute writ.
 9.—Proceedings, on hearing claim.
 10.—Fugitive, when to be discharged; penalty on claimant.
 11.—How, and when, claimant entitled to take fugitive.
 12.—Authority of claimant under certificate.
 13.—Fees and expenses to be paid by claimant; when.
 14.—Penalty on justices, &c., granting process to arrest fugitives, &c.
 15.—Fugitive entitled to a writ of *homine replegiando*.
 16.—Security, when to be given by fugitive.
 17.—Proceedings on *habeas corpus* suspended.
 18.—Fugitive not to be taken, &c., except as herein authorized.
 19.—Penalty for taking, attempting to remove, &c., fugitive.
 20.—Penalty on officers for not obeying, &c., *habeas corpus*.

§ 6. Whenever any person, legally held to labour or service, in any state, or territory, of the United States, shall escape into this state, the person entitled to the services of such fugitive, or the agent of such person, duly authorized by him, upon making due proof of such title, to any court, or officer, authorized to issue writs of *habeas corpus*, under the second article of this Title,*

* The parts of the article of this title, which are here referred to, are as follows; (Vol. 2d, p. 563.)

§ 23. Application for such writ, shall be made by petition, signed either by the party for whose relief it is intended, or by some person in his behalf, as follows:—

1. To the supreme court, during its sitting; or,
2. During any term or vacation of the supreme court, to the chancellor, or any one of the justices of the supreme court, or

shall be entitled to a writ of *habeas corpus*, to be directed to the sheriff of the county where such fugitive shall be, commanding such sheriff to take the body of such fugitive, and have him before the court, or officer issuing such writ, on a day therein to be specified, to answer to such claim.

§ 7. The proof to entitle any person to such writ, shall be by affidavit, setting forth minutely and particularly the ground of such claim to the services of such fugitive, the time of the escape of such fugitive, and where he then is.

§ 8. The sheriff, to whom such writ shall be directed, and delivered, shall execute the same, by arresting and taking the body of such fugitive, and bringing him before the officer, or court, before whom such writ shall be returnable.

§ 9. Such officer, or court, shall proceed to hear the allegations and proofs of the parties; and shall, if required, allow a reasonable time to either party, to procure further necessary proof; and, in such case, shall commit such fugitive to the custody of the sheriff of the county, for safe keeping; or may take a bond, in such penalty as shall be deemed satisfactory, with sufficient sureties, to the person claiming the services of such fugitive, conditioned, that such fugitive shall appear before such court, or officer, at the time and place therein spe-

any officer who may be authorized to perform the duties of a justice of the supreme court at chambers, being, or residing within the county where the prisoner is detained; or, if there be no such officer within such county; or, if he be absent; or, for any cause, be incapable of acting, or have refused to grant such writ, then to some officer having such authority, residing in any adjoining county,

§ 24. Whenever application for any such writ shall be made to any officer, not residing within the county where the prisoner shall be detained, he shall require proof by the oath of the party applying, or by other sufficient evidence, that there is no officer in such county, authorized to grant the writ, or, if there be one, that he is absent, or has refused to grant such writ, or, for some cause, to be specially set forth, is incapable of acting; and, if such proof be not produced, the application shall be denied.

cified, to abide the order and decision of such court or officer, in relation to such claim.

§ 10. If, upon hearing of the parties, such court, or officer, shall be satisfied that the person claiming the service of such fugitive, is not entitled thereto, such fugitive shall be discharged; and the person making such claim, shall forfeit to such fugitive, one hundred dollars; and such fugitive shall, also, be entitled to recover of such person, the costs and expenses incurred by him, and the damages he may have sustained.

§ 11. If it shall appear, that the person making such claim, is entitled to the services of such fugitive, the court, or officer, before whom such hearing shall have been had, shall grant to such claimant a certificate, stating, that it satisfactorily appears, that such fugitive (who shall be particularly described in such certificate, by his name, age, size, and personal appearance,) doth owe service, or labour, to the person claiming the same, naming such person, and his place of residence; and, thereby, allowing such person, or his agent, to be also named in such certificate, to take such fugitive, and convey him to the place of residence of the person entitled to his labour, or service; and such fugitive shall, thereupon, be delivered to such claimant, or to his agent, duly appointed to receive such fugitive.

§ 12. Such certificate shall authorize the person having the same, to remove such fugitive therein named, without any unnecessary delay, through and out of this state, on the direct route to the place of residence of the claimant of such fugitive.

§ 13. The fees and expenses incurred in any proceedings herein authorized, shall be paid by the person claiming the services of any such fugitive, before any writ shall be allowed, or other service rendered, for which such fee shall be chargeable.

§ 14. No justice of the peace, magistrate, or other officer, appointed under the authority of this state, other than the courts and officers herein authorized to issue writs of *habeas corpus*, shall be authorized to grant any

warrant, or other process, to arrest any person alleged to be a fugitive from labour or service ; or to grant any certificate of any proof having been adduced, of the title of any claimant to the services of any such fugitive ; and any officer violating this provision, shall forfeit five hundred dollars to the party aggrieved, and shall be deemed guilty of a misdemeanour.

§ 15. Notwithstanding such writ of *habeas corpus* may have been issued, or served, such fugitive shall be entitled to bring his writ of *homine replegiando* against the person claiming the services of such fugitive, or against the agent of such person, whether such fugitive be in custody by virtue of a writ of *habeas corpus*, or not.

§ 16. If such fugitive be in custody, it shall not be necessary for him to give security for the prosecution of the writ of *homine replegiando* ; but he shall not be delivered from custody by virtue of such writ, without having given the security required by law.

§ 17. Upon such writ of *homine replegiando* being brought, all proceedings upon any writ of *habeas corpus*, that may have been issued to apprehend such fugitive, and upon any other process, certificate, or proceeding, authorizing the caption, or removal of such fugitive, shall be suspended, until final judgment shall be given upon such writ of *homine replegiando*.

§ 18. No person, claiming the service of any such fugitive, or the agent of such person, or any officer, or other person, shall take or remove such fugitive from this state, or shall do any act towards such removal, unless authorized so to do, pursuant to the provisions of this article.

§ 19. Every person violating the provisions of the last section, and every person who shall remove from this state, or attempt so to remove, any such fugitive from service, or labour, or any one alleged to be such fugitive, under any pretended certificate, granted by any judge, or officer, or under any other pretence, after a writ of *homine replegiando* shall have been brought, and before judgment thereon, shall forfeit five hundred dollars to the aggrieved party.

§ 20. Whenever any writ of *habeas corpus* shall be issued, pursuant to either of the provisions of this article, it shall be the duty of the officer, to whom the same shall be delivered, to obey and return such writ, according to the command thereof, in the manner, and within the time prescribed by law; and every officer who shall refuse, or neglect so to do, shall forfeit to the people of this state, where the writ was issued, upon the application of the attorney general, or district attorney, and, in other cases, to the party upon whose application the same shall have been issued, the sum of five hundred dollars.

OF
KIDNAPPING.

PART IV.—CHAPTER I.—TITLE II.

**OF OFFENCES AGAINST THE PERSON, PUNISHABLE BY
IMPRISONMENT IN A STATE PRISON.**

ARTICLE SECOND.

(Vol. 2, p. 663.)

Sec. 28 — Punishment for inveigling and kidnapping.

29.—Place of trial for kidnapping

30.—Consent of person kidnapped, how far defence.

31 —Accessaries after the fact to kidnapping.

32.—Selling, &c., persons of colour, who have been kidnapped.

33.—Place of trial for offence specified in last section.

§ 28. Every person who shall, without lawful authority, forcibly seize and confine any other, or shall inveigle or kidnap any other, with intent either.

1. To cause such other person to be secretly confined, or imprisoned, in this state, against his will; or,

2. To cause such other person to be sent out of this state, against his will; or,

3. To cause such person to be sold as a slave, or in any way held to service against his will, shall, upon conviction, be punished by imprisonment in a state prison, not exceeding ten years.

§ 29. Every offence prohibited in the last section, may be tried either in the county in which the same may have been committed, or in any county through which any person so kidnapped, or confined, shall have been taken, while under such confinement.

§ 30. Upon the trial of any such offence, the consent of the person so kidnapped, or confined thereto, shall not be a defence, unless it appear satisfactorily to the jury, that such consent was not extorted by threats or by duress.

§ 31. Every person who shall be convicted of having been an accessory, after the fact to any kidnapping or confinement, herein before prohibited, shall be punished by imprisonment in a state prison, not exceeding six years, or in a county jail not exceeding one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

§ 32. Every person who shall sell, or in any manner transfer for any term, the services or labour of any black, mulatto, or other person of colour, who shall have been forcibly taken, inveigled, or kidnapped, from this state to any other state, place, or country, shall, upon conviction, be punished by imprisonment in a state prison, not exceeding ten years, or in a county jail not exceeding one year, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment.

§ 33. Every offence prohibited in the last section, may be tried in any county in which the person of colour so sold, or whose services shall be so transferred, shall have been taken, kidnapped, or inveigled, or through which he shall have been carried or brought.

CONSTITUTION OF THE UNITED STATES.

ARTICLE IV.

§ 2. No person held to service, or labour, in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service, or labour ; but shall be delivered up on claim of the party to whom such service or labour may be due.

LAWS OF THE UNITED STATES.

An Act respecting Fugitives from Justice, and Persons escaping from the Service of their Masters.

Approved February 12th, 1793. }
Bioren & Duane's ed Chap. 152. Vol. iii. p. 331. }

§ 3. *And be it further enacted*, That when a person held to labour in any of the United States, or in either of the territories on the northwest or south of the river Ohio, under the laws thereof, shall escape into any other of the said states, or territory, the person to whom such labour, or service, may be due, his agent, or attorney, is hereby empowered to seize or arrest such fugitive from labour, and to take him or her before any judge of the circuit or district courts of the United States, residing, or being within the state, or before any magistrate of a county, city, or town corporate, wherein such seizure or arrest shall be made, and upon *proof* to the satisfaction of such judge, or magistrate, either by oral testimony, or affidavit, taken before and certified by a *magistrate* of any such state, or territory, that the person so seized, or arrested, doth, under the laws of the state or territory from which he or she fled.

owe service or labour to the person claiming him or her, it shall be the duty of such judge, or magistrate, to give a certificate thereof to such claimant, his agent, or attorney, which shall be sufficient warrant for removing the said fugitive from labour, to the state or territory from which he or she fled.

§ 4. That any person who shall, knowingly, and willingly, obstruct or hinder such claimant, his agent, or attorney, in so seizing or arresting such fugitive from labour, or shall rescue such fugitive from such claimant, his agent, or attorney, when so arrested pursuant to the authority herein given or declared, or shall harbour or conceal such person after notice that he or she was a fugitive from labour, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of five hundred dollars; which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any court proper to try the same; saving, moreover, to the person claiming such labour or service, his right of action for or on account of the said injuries, or either of them.

An Act to prohibit the carrying on the Slave Trade from the United States to any foreign place or country.

Approved March 22d. 1794. }
(Bloren & Duane's ed.) Chap. 187, Vol. 2d, p. 383. }

§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That no citizen, or citizens of the United States, or foreigner, or any other person, coming into or residing within the same, shall, for himself, or any other person whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare any ship, or vessel, within any port or place of the said United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of carrying on any trade or traffic in slaves, to any foreign country; or, for the purpose of procuring, from any foreign kingdom, place,

or country, the inhabitants of such kingdom, place, or country, to be transported to any foreign country, port, or place whatever, to be sold or disposed of, as slaves :

And if any ship or vessel shall be so fitted out, as aforesaid, for the said purposes, or shall be caused to sail, so as aforesaid, every such ship or vessel, her tackle, furniture, apparel, and other appurtenances, shall be forfeited to the United States ; and shall be liable to be seized, prosecuted, and condemned, in any of the circuit courts, or district court for the district, where the said ship or vessel may be found and seized.

§ 2. That all and every person, so building, fitting out, equipping, loading, or otherwise preparing, or sending away, any ship or vessel, knowing or intending, that the same shall be employed in such trade, or business, contrary to the true intent and meaning of this act, or any ways aiding or abetting therein, shall severally forfeit and pay the sum of two thousand dollars, one moiety thereof to the use of the United States, and the other moiety thereof to the use of him, or her, who shall sue for and prosecute the same.

§ 3. That the owner, master, or factor, of each and every foreign ship or vessel, clearing out for any of the coasts, or kingdoms of Africa, or suspected to be intended for the slave trade, and the suspicion being declared to the officer of the customs, by any citizen, on oath, or affirmation, and such information being to the satisfaction of the said officer, shall first give bond with sufficient sureties, to the treasurer of the United States, that none of the natives of Africa, or any other foreign country or place, shall be taken on board the said ship or vessel, to be transported, or sold as slaves, in any other foreign port or place whatever, within nine months thereafter.

§ 4. That if any citizen or citizens of the United States shall, contrary to the true intent and meaning of this act, take on board, receive, or transport any such persons, as above described in this act, for the purpose of selling them as slaves, as aforesaid, he or they shall forfeit and

pay, for each and every person so received on board, transported, or sold as aforesaid, the sum of two hundred dollars. to be recovered in any court of the United States, proper to try the same ; the one moiety thereof to the use of the United States, and the other moiety to the use of such person or persons, who shall sue for and prosecute the same.

An Act for an amicable settlement of the limits with the State of Georgia, and authorizing the establishment of a government in the Mississippi territory.

Approved 7th April, 1798. }
(Bioren & Duane's ed.) vol. iii. chap. 45, p. 39. }

§ 7. *And be it further enacted*, That from and after the establishment of the aforesaid government, it shall not be lawful for any person or persons to import, or bring into the said Mississippi territory, from any port, or place, without the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves ; and that every person so offending, and being thereof convicted, before any court within the said territory, having competent jurisdiction, shall forfeit and pay, for each and every slave so imported or brought, the sum of three hundred dollars ; one moiety for the use of the United States. and the other moiety for the use of any person or persons who shall sue for the same ; and that every slave, so imported or brought, shall thereupon become entitled to, and receive his or her freedom.

An Act in addition to the Act, entitled " An Act to prohibit the carrying on the Slave Trade from the United States to any foreign place, or country "

Approved May 10th, 1800. }
(Bioren & Duane's ed.) chap. 205, vol. 5, p. 382. }

§ 1. That it shall be unlawful for any citizen of the United States, or other person residing within the Uni-

ted States, directly, or indirectly, to hold, or have any right or property in any vessel employed or made use of in the transportation or carrying of slaves from one foreign country or place to another, and any right or property, belonging as aforesaid, shall be forfeited, and may be libelled and condemned for the use of the person who shall sue for the same; and such person, transgressing the prohibition aforesaid, shall also forfeit and pay a sum of money equal to double the value of the right or property in such vessel, which he held as aforesaid; and shall also forfeit a sum of money equal to double the value of the interest which he may have had in the slaves, which at any time may have been transported or carried in such vessel, after the passing of this act, and against the form thereof.

§ 2. That it shall be unlawful for any citizen of the United States, or other person residing therein, to serve on board any vessel of the United States, employed or made use of in the transportation or carrying of slaves from one foreign country or place to another; and any such citizen or other person voluntarily serving as aforesaid, shall be liable to be indicted therefor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars, and be imprisoned not exceeding two years.

§ 3. That if any citizen of the United States shall voluntarily serve on board of any foreign ship or vessel, which shall hereafter be employed in the slave-trade, he shall, on conviction thereof, be liable to, and suffer the like forfeitures, pains, disabilities and penalties as he would have incurred, had such ship or vessel been owned or employed, in whole or in part, by any person or persons residing within the United States.

§ 4. That it shall be lawful for any of the commissioned vessels of the United States, to seize and take any vessel employed in carrying on trade, business, or traffic, contrary to the true intent and meaning of this or the said act to which this is in addition: and such vessel, together with her tackle, apparel and guns, and the

goods or effects, other than slaves, which shall be found on board, shall be forfeited, and may be proceeded against in any of the district or circuit courts, and shall be condemned for the use of the officers and crew of the vessel making the seizure, and be divided in the proportion directed in the case of prize: and all persons interested in such vessel, or in the enterprize or voyage in which such vessel shall be employed at the time of such capture, shall be precluded from all right or claim to the slaves found on board such vessel as aforesaid, and from all damages or retribution on account thereof: and it shall moreover be the duty of the commanders of such commissioned vessels to apprehend and take into custody every person found on board of such vessel so seized and taken, being of the officers or crew thereof, and him or them convey as soon as conveniently may be, to the civil authority of the United States, in some one of the districts thereof, to be proceeded against in due course of law.

§ 5. That the district and circuit courts of the United States shall have cognizance of all acts and offences against the prohibitions herein contained.

§ 6. *Provided nevertheless, and be it further enacted,* That nothing in this act contained shall be construed to authorize the bringing into either of the United States, any person or persons, the importation of whom is, by the existing laws of such state, prohibited.

§ 7. That the forfeitures which shall hereafter be incurred under this, or the said act to which this is in addition, not otherwise disposed of, shall accrue and be one moiety thereof to the use of the informer, and the other moiety to the use of the United States, except where the prosecution shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

An Act to prevent the importation of certain persons into certain states, where, by the laws thereof, their admission is prohibited.

Approved February 28th, 1803. }
(Bioren & Duane's ed.) chap. 323, vol iii, p. 529. }

§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* THAT from and after the first day of April next, no master or captain of any ship or vessel, or any other person, shall import or bring, or cause to be imported or brought, any negro, mulatto, or other person of colour, not being a native, a citizen, or registered seaman of the United States, or seamen natives of countries beyond the cape of Good-Hope, into any port or place of the United States, which port or place shall be situated in any state which by law has prohibited or shall prohibit the admission or importation of such negro, mulatto, or other person of colour; and if any captain or master aforesaid, or any other person, shall import or bring, or cause to be imported or brought into any of the ports or places aforesaid, any of the persons whose admission or importation is prohibited, as aforesaid, he shall forfeit and pay the sum of one thousand dollars for each and every negro, mulatto, or other person of colour aforesaid, brought or imported as aforesaid, to be sued for and recovered by action of debt, in any court of the United States; one half thereof to the use of the United States, the other half to any person or persons prosecuting for the penalty; and in any action instituted for the recovery of the penalty aforesaid, the person or persons sued may be held to special bail: *Provided always,* That nothing contained in this act shall be construed to prohibit the admission of Indians.

§ 2. That no ship or vessel arriving in any of the said ports or places of the United States, and having on board any negro, mulatto, or other person of colour, not being a native, a citizen or registered seamen of the United States, or seamen natives of countries beyond the cape

of Good-Hope as aforesaid, shall be admitted to an entry. And if any such negro, mulatto, or other person of colour, shall be landed from on board any ship or vessel, in any of the ports or places aforesaid, or on the coast of any state prohibiting the admission or importation, as aforesaid, the said ship or vessel, together with her tackle, apparel and furniture, shall be forfeited to the United States, and one half of the nett proceeds of the sales on such forfeiture shall inure and be paid over to such person or persons on whose information the seizure on such forfeiture shall be made.

§ 3. That it shall be the duty of the collectors and other officers of the customs, and all other officers of the revenue of the United States, in the several ports or places situated as aforesaid, to notice and be governed by the provisions of the laws now existing, of the several states prohibiting the admission or importation of any negro, mulatto, or other person of colour, as aforesaid. And they are hereby enjoined vigilantly to carry into effect the said laws of said states, conformably to the provisions of this act; any law of the United States to the contrary notwithstanding.

Approved March 26th, 1804.— }
Chapter 37, vol. vii. p. 117. }

§ 10. It shall not be lawful for any person or persons, to import or bring into the said territory, (Louisiana) from any port or place without the limits of the United States, or cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave, or slaves. And every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought, the sum of three hundred dollars; one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same;

and every slave so imported or brought, shall thereupon become entitled to, and receive his or her freedom. It shall not be lawful for any person, or persons, to import or bring into the said territory, from any port or place within the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slaves which shall have been imported since the first day of May, one thousand seven hundred and ninety-eight, into any port or place within the limits of the United States, or which may hereafter be so imported, from any port or place without the limits of the United States; and every person so offending, and being thereof convicted before any court within said territory, having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought from without the United States, the sum of three hundred dollars, one moiety for the use of the United States, and the other moiety for the use of the person or persons who shall sue for the same; and no slave or slaves shall directly or indirectly be introduced into said territory, except by a citizen of the United States, removing into said territory for actual settlement, and being at the time of such removal bona fide owner of such slave or slaves; and every slave imported or brought into the said territory, contrary to the provisions of this act, shall thereupon be entitled to, and receive his or her freedom.

An Act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight.

Approved March 2d. 1807.— }
Chapter 67, vol. viii. p. 262. }

§ 1. *BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That from and after the first day of January, one thousand eight hundred and eight, it shall not be lawful to import or bring into the United States, or the territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of such negro, mulatto, or person of colour, as a slave, or to be held to service or labour.

§ 2. *And be it further enacted,* That no citizen or citizens of the United States, or any other person, shall, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, for himself, or themselves or any other person whatsoever, either as master, factor, or owner, build, fit, equip, load or otherwise prepare any ship or vessel, in any port or place within the jurisdiction of the United States, nor shall cause any ship or vessel to sail from any port or place within the same, for the purpose of procuring any negro, mulatto, or person of colour, from any foreign kingdom, place, or country, to be transported to any port or place whatsoever, within the jurisdiction of the United States, to be held, sold, or disposed of as slaves, or to be held to service or labour: and if any ship or vessel shall be so fitted out for the purpose aforesaid, or shall be caused to sail so as aforesaid, every such ship or vessel, her tackle, and apparel, and furniture, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district courts, for the district where the said ship or vessel may be found or seized.

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§ 3. *And be it further enacted*, That all and every person so building, fitting out, equipping, loading, or otherwise preparing or sending away, any ship or vessel, knowing or intending that the same shall be employed in such trade or business, from and after the first day of January, one thousand eight hundred and eight, contrary to the true intent and meaning of this act, or any ways aiding or abetting therein, shall severally forfeit and pay twenty thousand dollars, one moiety thereof to the use of the United States, and the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect.

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§ 4. *And be it further enacted*, That if any citizen or citizens of the United States, or any person resident within the jurisdiction of the same, shall, from and after the first day of January, one thousand eight hundred and eight, take on board, receive or transport from any of the coasts or kingdoms of Africa, or from any other foreign kingdom, place or country, any negro, mulatto, or person of colour, in any ship or vessel, for the purpose of selling them in any port or place within the jurisdiction of the United States as slaves, or to be held to service or labour, or shall be in any ways aiding or abetting therein, such citizen or citizens, or person, shall severally forfeit and pay five thousand dollars, one moiety thereof to the use of any person or persons who shall sue for and prosecute the same to effect; and every such ship or vessel in which such negro, mulatto, or person of colour shall have been taken on board, received, or transported as aforesaid, her tackle, apparel and furniture, and the goods and effects which shall be found on board the same, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district county in the district where the said ship or vessel may be found or seized. And neither the importer, nor any person or persons claiming from or under him, shall hold any right or title whatsoever to any negro, mulatto, or person of colour, nor to the service or labour thereof, who may be imported or brought within

the United States, or territories thereof, in violation of this law, but the same shall remain subject to any regulations not contravening the provisions of this act, which the legislatures of the several states or territories at any time hereafter may make, for disposing of any such negro, mulatto, or person of colour.

§ 5. *And be it further enacted*, That if any citizen or citizens of the United States, or any other person resident within the jurisdiction of the same shall, from and after the first day of January, one thousand eight hundred and eight, contrary to the true intent and meaning of this act, take on board any ship or vessel, from any of the coasts or kingdoms of Africa, or from any other foreign kingdom, place, or country, any negro, mulatto, or person of colour, with intent to sell him, her, or them, for a slave, or slaves, or to be held to service or labour, and shall transport the same to any port or place within the jurisdiction of the United States, and there sell such negro, mulatto, or person of colour, so transported as aforesaid, for a slave, or to be held to service or labour, every such offender shall be deemed guilty of a high misdemeanor, and being thereof convicted before any court having competent jurisdiction, shall suffer imprisonment for not more than ten years nor less than five years, and be fined not exceeding ten thousand dollars, nor less than one thousand dollars.

§ 6. *And be it further enacted*, That if any person or persons whatsoever, shall, from and after the first day of January, one thousand eight hundred and eight, purchase or sell any negro, mulatto, or person of colour, for a slave, or to be held to service or labour, who shall have been imported, or brought from any foreign kingdom, place or country, or from the dominions of any foreign state, immediately adjoining to the United States, into any port or place within the jurisdiction of the United States, after the last day of December, one thousand eight hundred and seven, knowing at the time of such purchase or sale, such negro, mulatto, or person of colour, was so brought within the jurisdiction of the

United States, as aforesaid, such purchaser and seller shall severally forfeit and pay for every negro, mulatto, or person of colour, so purchased or sold as aforesaid, eight hundred dollars; one moiety thereof to the United States, and the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect: *Provided*, That the aforesaid forfeiture shall not extend to the seller or purchaser of any negro, mulatto, or person of colour, who may be sold or disposed of in virtue of any regulation which may hereafter be made by any of the legislatures of the several states in that respect in pursuance of this act, and the constitution of the United States.

§ 7. *And be it further enacted*, That if any ship or vessel shall be found, from and after the first day of January, one thousand eight hundred and eight, in any river, port, bay, or harbour, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast thereof, having on board any negro, mulatto, or person of colour, for the purpose of selling them as slaves, or with intent to land the same, in any port or place within the jurisdiction of the United States, contrary to the prohibition of this act, every such ship or vessel, together with her tackle, apparel, and furniture, and the goods or effects which shall be found on board the same, shall be forfeited to the use of the United States, and may be seized, prosecuted, and condemned, in any court of the United States, having jurisdiction thereof. And it shall be lawful for the President of the United States, and he is hereby authorized, should he deem it expedient, to cause any of the armed vessels of the United States, to be manned and employed to cruise on any part of the coast of the United States, or territories thereof, where he may judge attempts will be made to violate the provisions of this act, and to instruct and direct the commanders of armed vessels of the United States, to seize, take and bring into any port of the United States, all such ships or vessels, and moreover to seize, take and bring into any port of the United States all ships

or vessels of the United States, wheresoever found on the high seas, contravening the provisions of this act, to be proceeded against according to law, and the captain, master, or commander of every such ship or vessel, so found and seized as aforesaid, shall be deemed guilty of a high misdemeanor, and shall be liable to be prosecuted before any court of the United States, having jurisdiction thereof; and being thereof convicted, shall be fined not exceeding ten thousand dollars, and be imprisoned not less than two years, and not exceeding four years. And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted and condemned, shall be divided equally between the United States and the officers and men who shall make such seizure, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof, and the same shall be distributed in like manner, as is provided by law, for the distribution of prizes taken from an enemy: *Provided*, That the officers and men, to be entitled to one half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of colour, found on board of any ship or vessel so by them seized, taken, or brought into port for condemnation, and shall deliver every such negro, mulatto, or person of colour, to such person or persons as shall be appointed by the respective states, to receive the same: and if no such person or persons shall be appointed by the respective states, they shall deliver every such negro, mulatto, or person of colour to the overseers of the poor of the port or place where such ship or vessel may be brought or found, and shall immediately transmit to the governor or chief magistrate of the state, an account of their proceedings, together with the number of such negroes, mulattoes, or persons of colour, and a descriptive list of the same, that he may give directions respecting such negroes, mulattoes, or persons of colour.

§ 8. *And be it further enacted*, That no captain, master or commander of any ship or vessel, of less burden

than forty tons, shall from and after the first day of January one thousand eight hundred and eight, take on board and transport any negro, mulatto, or person of colour, to any port or place whatsoever, for the purpose of selling or disposing of the same as a slave, or with intent that the same may be sold or disposed of to be held to service or labour, on penalty of forfeiting for every such negro, mulatto, or person of colour, so taken on board and transported, as aforesaid, the sum of eight hundred dollars; one moiety thereof to the use of the United States, and the other moiety to any person, or persons, who shall sue for, and prosecute the same to effect: *Provided*, however, that nothing in this section shall extend to prohibit the taking on board or transporting on any river, or inland bay of the sea, within the jurisdiction of the United States, any negro, mulatto, or person of colour, (not imported contrary to the provisions of this act) in any vessel or species of craft whatever, 2

§ 9. *And be it further enacted*, That the captain, master, or commander of any ship or vessel of the burthen of forty tons or more, from and after the first day of January, one thousand eight hundred and eight, sailing coastwise, from any port in the United States, to any port or place within the jurisdiction of the same, having on board any negro, mulatto, or person of colour, for the purpose of transporting them to be sold or disposed of as slaves, or to be held to service or labour, shall, previous to the departure of such ship or vessel, make out and subscribe duplicate manifests of every such negro, mulatto, or person of colour, on board such ship or vessel, therein specifying the name and sex of each person, their age and stature, as near as may be, and the class to which they respectively belong, whether negro, mulatto, or person of colour, with the name and place of residence of every owner, or shipper of the same, and shall deliver such manifests to the collector of the port, if there be one, otherwise to the surveyor, before whom the captain, master, or commander, together with the owner, or shipper, shall severally swear or affirm, to the best of their know-

ledge and belief, that the persons therein specified were not imported or brought into the United States, from and after the first day of January, one thousand eight hundred and eight, and that under the laws of the state, they are held to service or labour ; whereupon the said collector or surveyor shall certify the same on the said manifests, one of which he shall return to the said captain, master, or commander, with a permit, specifying thereon the number, names, and general description of such persons, and authorizing him to proceed to the port of his destination. And if any ship or vessel, being laden and destined as aforesaid, shall depart from the port where she may then be, without the captain, master, or commander having first made out and subscribed duplicate manifests, of every negro, mulatto, and person of colour, on board such ship or vessel, as aforesaid, and without having previously delivered the same to the said collector or surveyor, and obtained a permit, in manner as herein required, or shall, previous to her arrival at the port of her destination, take on board any negro, mulatto, or person of colour, other than those specified in the manifests, as aforesaid, every such ship or vessel, together with her tackle, apparel and furniture, shall be forfeited to the use of the United States, and may be seized, prosecuted and condemned in any court of the United States having jurisdiction thereof ; and the captain, master, or commander of every such ship or vessel, shall moreover forfeit, for every such negro, mulatto, or person of colour, so transported, or taken on board, contrary to the provisions of this act, the sum of one thousand dollars, one moiety thereof to the United States, and the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect.

§ 10. *And be it further enacted*, That the captain, master, or commander of every ship or vessel, of the burthen of forty tons or more, from and after the first day of January, one thousand eight hundred and eight, sailing coastwise, and having on board any negro, mulatto, or person of colour, to sell or dispose of as slaves, or to be

beld to service or labour, and arriving in any port within the jurisdiction of the United States, from any other port within the same, shall, previous to the unlading or putting on shore any of the persons aforesaid, or suffering them to go on shore, deliver to the collector, if there be one, or if not, to the surveyor residing at the port of her arrival, the manifest certified by the collector or surveyor of the port from whence she sailed, as is herein before directed, to the truth of which, before such officer, he shall swear or affirm, and if the collector or surveyor shall be satisfied therewith, he shall thereupon grant a permit for unlading or suffering such negro, mulatto, or person of colour, to be put on shore. and if the captain, master or commander of any such ship or vessel being laden as aforesaid, shall neglect or refuse to deliver the manifest at the time and in the manner herein directed, or shall and or put on shore any negro, mulatto, or person of colour, for the purpose aforesaid, before he shall have delivered his manifest as aforesaid, and obtained a permit for that purpose, every such captain, master, or commander. shall forfeit and pay ten thousand dollars, one moiety thereof to the United States, the other moiety to the use of any person or persons who shall sue for and prosecute the same to effect.

An Act in addition to "An act to prohibit the introduction of slaves into any port or place within the jurisdiction of the United States from and after the first day of January in the year of our Lord one thousand eight hundred and eight" and to repeal certain parts of the same.

Approved, 20th April, 1818. Vol. vi. of Davis, and }
Force's Edition page 325.—Chap. 373. }

§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That from and after the passing of this act, it shall not be lawful to import or bring, in any manner*

whatsoever, into the United States or territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of any such negro, mulatto, or person of colour, as a slave, or to be held to service or labour; and any ship, vessel, or other water craft, employed in any importation as aforesaid, shall be liable to seizure, prosecution, and forfeiture, in any district in which it may be found; one half thereof to the use of the United States, and the other half to the use of him or them who shall prosecute the same to effect.

§ 2. *And be it further enacted*, That no citizen or citizens of the United States, or any other person or persons, shall, after the passing of this act, as aforesaid, for himself, themselves, or any other person or persons whatsoever, either as master, factor, or owner, build, fit, equip, load, or otherwise prepare, any ship or vessel, in any port or place within the jurisdiction of the United States, nor cause any such ship or vessel to sail from any port or place whatsoever, within the jurisdiction of the same, for the purpose of procuring any negro, mulatto, or person of colour, from any foreign kingdom, place or country, to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of, as slaves, or to be held to service or labour; and if any ship or vessel shall be so built, fitted out, equipped, laden, or otherwise prepared, for the purpose aforesaid, every such ship or vessel, her tackle, apparel, furniture, and lading, shall be forfeited, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for said forfeiture, and prosecute the same to effect; and such ship or vessel shall be liable to be seized, prosecuted, and condemned, in any court of the United States having competent jurisdiction.

§ 3. *And be it further enacted*, That every person or persons so building, fitting out, equipping, loading or otherwise preparing, or sending away, or causing any of the acts aforesaid to be done, with intent to employ

such ship or vessel in such trade or business, after the passing of this act, contrary to the true intent and meaning thereof, or who shall, in any wise, be aiding or abetting therein, shall severally, on conviction thereof, by due course of law, forfeit and pay a sum not exceeding five thousand dollars, nor less than one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for such forfeiture and prosecute the same to effect, and shall moreover be imprisoned for a term not exceeding seven years, nor less than three years.

§ 4. *And be it further enacted*, That if any citizen or citizens of the United States, or other person or persons resident within the jurisdiction of the same, shall, from and after the passing of this act, take on board, receive, or transport, from any of the coasts or kingdoms of Africa, or from any other foreign kingdom, place, or country, or from sea, any negro, mulatto, or person of colour, not being an inhabitant, nor held to service by the laws of either of the states or territories of the United States, in any ship, vessel, boat, or other water craft, for the purpose of holding, selling, or otherwise disposing of, such person as a slave, or to be held to service or labour, or be aiding or abetting therein, every such person or persons, so offending, shall, on conviction, by due course of law, severally forfeit and pay a sum not exceeding five thousand, nor less than one thousand dollars, one moiety to the use of the United States; and the other to the use of the person or persons who shall sue for such forfeiture and prosecute the same to effect, and moreover shall suffer imprisonment for a term not exceeding seven years, nor less than three years : and every ship or vessel, boat, or other water craft, on which such negro, mulatto, or person of colour, shall have been taken on board, received, or transported, as aforesaid, her tackle, apparel, and furniture, and the goods and effects which shall be found on board the same, or shall have been imported therein in the same

voyage, shall be forfeited, one moiety to the use of the United States, and the other to the use of the person or persons who shall sue for, and prosecute the same to effect; and every such ship or vessel shall be liable to be seized, prosecuted, and condemned, in any court of the United States having competent jurisdiction.*

§ 5. *And be it further enacted*, That neither the importer or importers, nor any person or persons claiming from or under him or them, shall hold any right, or interest title whatsoever, in or to any negro, mulatto, or person of colour, nor to the service or labour thereof, who may be imported or brought into the United States or the territories thereof, in violation of the provisions of this act, but the same shall remain subject to any regulations, not contravening said provisions, which the legislatures of the several states or territories may at any time heretofore have made, or hereafter may make, for disposing of any such negro, mulatto, or person of colour.

§ 6. *And be it further enacted*, That if any person or persons whatsoever shall, from and after the passing of this act, bring within the jurisdiction of the United States, in any manner whatsoever, any negro, mulatto, or person of colour, from any foreign kingdom, place or country, (or from sea) or shall hold, sell, or otherwise dispose of any such negro, mulatto, or person of colour, so brought in as a slave, or to be held to service or labour, or be in any wise aiding or abetting therein, every person so offending shall, on conviction thereof by due course of law, forfeit and pay for every such offence, a sum not exceeding ten thousand, nor less than one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or

* The prohibitions extend as well to carrying of slaves on freight, as to cases where the slaves are the property of citizens of the United States. And to carrying them from one port of a foreign country to another, as well as from one country to another. 9 Cr. 403, 404.

persons who shall sue for such forfeiture, and prosecute the same to effect ; and moreover shall suffer imprisonment for a term not exceeding seven years, nor less than three years.

§ 7. *And be it further enacted*, That if any person or persons whatsoever, shall hold, purchase, sell, or otherwise dispose of any negro, mulatto, or person of colour for a slave, or to be held to service or labour, who shall have been imported or brought in any way from any foreign kingdom, place, or country, or from the dominions of any foreign state immediately adjoining to the United States, into any port or place within the jurisdiction of the United States, from and after the passing of this act, every person so offending, and every person aiding or abetting therein, shall severally forfeit and pay for every negro, mulatto, or person of colour so held, purchased, sold or disposed of, one thousand dollars, one moiety to the use of the United States, and the other to the use of the person or persons who may sue for such forfeiture, and prosecute the same to effect, and to stand committed until the said forfeiture be paid : *Provided*, That the aforesaid forfeiture shall not extend to the seller or purchaser of any negro, mulatto, or person of colour, who may be sold or disposed of in virtue of any regulations which have been heretofore or shall hereafter be lawfully made by any legislature of any state or territory in pursuance of this act, and the constitution of the United States.

§ 8. *And be it further enacted*, That in all prosecutions under this act, the defendant or defendants shall be holden to prove that the negro, mulatto, or person of colour, which he or they shall be charged with having brought into the United States, or with purchasing, holding, selling, or otherwise disposing of, and which, according to the evidence in such case, the said defendant or defendants shall have brought in aforesaid, or otherwise disposed of, was brought into the United States at least five years previous to the commencement of such prosecution, or was not brought in, holden,

purchased, or otherwise disposed of, contrary to the provisions of this act; and in failure thereof, the said defendant or defendants shall be adjudged guilty of the offence of which he or they may stand accused.

§ 9. *And be it further enacted*, That any prosecution, information, or action, may be sustained for any offence under this act, at any time within five years after such offence shall have been committed, any law to the contrary notwithstanding.

§ 10. *And be it further enacted*, That the first six sections of the act to which this is in addition, shall be and the same are hereby repealed: *Provided*, That all offences committed under the said sections of the act aforesaid, before the passing of this act, shall be prosecuted and punished; and any forfeitures, which have been incurred under the same shall be recovered and distributed, as if this act had not been passed.

An Act in addition to an Act prohibiting the Slave Trade.

Approved 3d of March, 1819. }
 Chap. 51. vol. vi. Davis and Force's Edition, p. 435. }

§ 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the president of the United States, is hereby authorized, whenever he shall deem it expedient, to cause any of the armed vessels of the United States to be employed to cruise on any of the coasts of the United States or territories thereof, or of the coast of Africa, or elsewhere, where he may judge attempts may be made to carry on the slave trade by citizens or residents of the United States, in contravention of the acts of congress prohibiting the same, and to instruct and direct the commanders of all armed vessels of the United States, to seize, take, and bring into any port of the United States, all ships or vessels of of the United States, wheresoever found, which may have taken on board, or which may be intend-

ed for the purpose of taking on board, or of transporting, or may have transported, any negro, mulatto, or person of colour, in violation of any of the provisions of the act, entitled "An act in addition to an act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States, from and after the first day of January, in the year of our Lord one thousand eight hundred and eight, and to repeal certain parts of the same," or of any other act or acts prohibiting the traffic in slaves, to be proceeded against according to law.

And the proceeds of all ships and vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which shall be so seized, prosecuted, and condemned, shall be divided equally between the United States and the officers and men who shall seize, take, or bring, the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof: And the same shall be distributed in like manner as is provided by law for the distribution of prizes taken from an enemy; *Provided*, That the officers and men, to be entitled to one half of the proceeds aforesaid, shall safe keep every negro, mulatto, or person of colour, found on board of any ship or vessel so seized, taken, or brought into port, for condemnation, and shall deliver every such negro, mulatto, or person of colour, to the marshal of the district into which they are brought, if into a port of the United States, or, if elsewhere, to such person or persons as shall be lawfully appointed by the president of the United States, in the manner hereinafter directed, transmitting to the president of the United States, as soon as may be after such delivery, a descriptive list of such negroes, mulattoes, or persons of colour, that he may give directions for the disposal of them.

And provided further, That the commanders of such commissioned vessels, do cause to be apprehended, and taken into custody, every person found on board of such vessel, so seized and taken, being of the officers or crew thereof, and him or them convey, as soon as con

veniently may be, to the civil authority of the United States, to be proceeded against, in due course of law, in some of the districts thereof.

§ 2. *And be it further enacted*, That the president of the United States be, and he is hereby authorized, to make such regulations and arrangements, as he may deem expedient, for the safe keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of colour, as may be so delivered and brought within their jurisdiction : And to appoint a proper person or persons, residing upon the coast of Africa, as agent or agents for receiving the negroes, mulattoes, or persons of colour delivered from on board vessels, seized in the prosecution of the slave trade, by commanders of the United States' armed vessels.

§ 3. *And be it further enacted*, That a bounty of twenty-five dollars be paid to the officers and crews of the commissioned vessels of the United States, or revenue cutters, for each and every negro, mulatto, or person of colour, who shall have been, as herein before provided, delivered to the marshal or agent duly appointed to receive them : And the secretary of the treasury is hereby authorized and required to pay, or cause to be paid, to such officers and crews, or their agent, the aforesaid bounty, for each person delivered as aforesaid.

§ 4. *And be it further enacted*. That when any citizen, or other person, shall lodge information, with the attorney for the district of any state or territory, as the case may be, that any negro, mulatto, or person of colour, has been imported therein, contrary to the provisions of the acts in such case made and provided, it shall be the duty of the said attorney forthwith to commence a prosecution, by information ; and process shall issue against the person charged with holding such negro, negroes, mulatto, mulattoes, person or persons of colour, so alleged to be imported contrary to the provisions of the acts aforesaid : And if, upon the return of the pro-

cess executed, it shall be ascertained, by the verdict of a jury, that such negro, negroes, mulatto, mulattoes, person or persons of colour, have been brought in, contrary to the true intent and meaning of the acts in such cases made and provided, then the court shall direct the marshal of the said district to take the said negroes, mulattoes or persons of colour, into his custody, for safe keeping, subject to the orders of the president of the United States; and the informer or informers, who shall have lodged the information, shall be entitled to receive, over and above the portion of the penalties accruing to him or them by the provisions of the acts in such case made and provided, a bounty of fifty dollars, for each and every negro, mulatto, or person of colour, who shall have been delivered into the custody of the marshal; and the secretary of the treasury is hereby authorized and required to pay, or cause to be paid, the aforesaid bounty, upon the certificate of the clerk of the court for the district where the prosecution may have been had, with the seal of office thereto annexed, stating the number of negroes, mulattoes, or persons of colour, so delivered.

§ 5. *And be it further enacted*, That it shall be the duty of the commander of any armed vessel of the United States, whenever he shall make any capture under the provisions of this act, to bring the vessel and her cargo, for adjudication, into some of the ports of the state or territory to which such vessel, so captured, shall belong, if he can ascertain the same; if not, then to be sent into any convenient port of the United States.

§ 6. *And be it further enacted*, That all such acts, or parts of acts, as may be repugnant to the provisions of this act, shall be, and the same are hereby, repealed.

§ 7. *And be it further enacted*, That a sum not exceeding one hundred thousand dollars be, and the same is hereby appropriated to carry this law into effect.

An Act to continue in force "an Act to protect the commerce of the United States, and punish the crime of piracy," and also to make further provisions for punishing the crime of piracy.

Approved 15th May, 1820. }
 Chap. 631. vol. vi. Davis and Force's Edition, p. 529. }

§ 4. *And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel owned in the whole or part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall land, from any such ship or vessel, and on any foreign shore seize any negro or mulatto, not held to service or labour by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive, such negro or mulatto on board any such ship or vessel, with intent, as aforesaid, such citizen or person shall be adjudged a pirate, and on conviction thereof, before the circuit court of the United States for the district wherein he may be brought or found, shall suffer death.

§ 2. *And be it further enacted*, That if any citizen of the United States, being of the crew or ship's company of any foreign ship or vessel engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, shall forcibly confine, or detain, or aid and abet in forcibly confining, or detaining, on board such ship or vessel, any negro or mulatto, not held to service by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall, on board any such ship or vessel offer or attempt to sell, as a slave, any negro or mulatto, not held to service as aforesaid, or shall, on the high seas, or any where on tide water

transfer, or deliver over, to any other ship or vessel, any negro or mulatto, not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any such negro or mulatto, with intent to make sale of, or having previously sold, such negro or mulatto, as a slave, such citizen, or person, shall be adjudged a pirate, and on conviction thereof, before the circuit court of the United States for the district wherein he shall be brought, or found, shall suffer death.







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